

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
ADMINISTRATIVE ADJUDICATION DIVISION

RE: SOSCIA, LYNN A.
NOTICE OF VIOLATION OWTS CI 05-182

AAD NO. 11-004-IE

FINAL ORDER OF DEFAULT

This matter came on before Hearing Officer David Kerins on October 12, 2011 for entry of a Final Judgment of Default. On July 7, 2011 a Prehearing Conference Order was issued scheduling a Prehearing Conference for September 29, 2011 at 10:00 a.m. The Respondent failed to appear at the Prehearing Conference or otherwise advise of the reason for her non appearance. OC&I requested that a Conditional Default be entered pursuant to paragraph 9 of the original Prehearing Conference Order dated July 7, 2011.

On September 29, 2011 an Order was entered granting OC&I's motion for a Conditional Default. The Order advised Respondent that a Final Judgment of Default shall be entered against her unless she files good cause in writing by October 10, 2011 why a Final Judgment should not be entered. As of October 12, 2011 no response has been received from Respondent.

FINDING OF FACT

1. On July 7, 2011 a Prehearing Conference Order was issued setting the matter down for Prehearing Conference on September 29, 2011 at 10:00 a.m.
2. The original Prehearing Conference Order dated July 7, 2011 in paragraph 9 states that a party shall be defaulted for non appearance.
3. Respondent failed to appear for the Prehearing Conference on September 29, 2011 or otherwise advise of a reason for her nonappearance.
4. OC&I requested a Conditional Default be entered.
5. On September 29, 2011 a Conditional Default was entered giving Respondent until October 10, 2011 to provide good cause in writing why a Final Judgment of Default should not be entered.
6. As of October 12, 2011 no response has been received from the Respondent.
7. Respondent is in Default.

CONCLUSIONS OF LAW

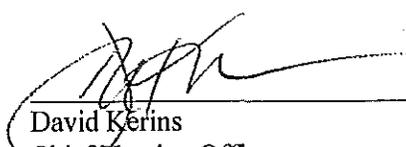
1. The Respondent is in Default.
2. Respondent's Appeal is deemed to be waived.

Wherefore, it is hereby

ORDERED

1. Respondent, Lynn A. Soscia is in Default and is deemed to have waived her right to an adjudicatory hearing.
2. Respondent's Appeal is Dismissed.
3. The Notice of Violation issued on May 16, 2011 is final and becomes a compliance order against Respondent, Lynn A. Soscia, immediately upon the entry of the Final Agency Order herein.

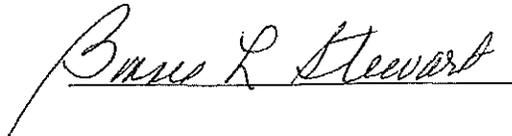
Entered as a Final Administrative Order this 13th day of October, 2011.



David Kerins
Chief Hearing Officer
Administration Adjudication Division
One Capitol Hill 2nd FL
Providence, RI 02908
(401) 574-8600

CERTIFICATION

I hereby certify that I caused a true copy of the within Status Conference Order to be forwarded by first-class mail, postage prepaid to Lynn A. Soscia, 9 Anthony Street, Coventry, RI 02816; via interoffice mail to Richard Bianculli, Esquire, DEM Office of Legal Services and David Chopy, Chief, Office of Compliance and Inspection, 235 Promenade Street, Providence, RI 02908 on this 13th day of October, 2011.



Bruce R. Stewart